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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CLETE REO HART,

11 Plaintiff,

No. CIV S-05-0691 DFL DAD P

12 vs.

13 DR. H. SOUFI, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action
17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On April 14, 2005, the magistrate judge filed an order and findings and
20 recommendations herein which were served on plaintiff and which contained notice to plaintiff
21 that any objections to the findings and recommendations were to be filed within twenty days. In
22 response to the magistrate judge's order concerning plaintiff's in forma pauperis application,
23 plaintiff has filed a new application. Plaintiff has not filed objections to the magistrate judge's
24 findings and recommendations.

25 The court has reviewed the file and finds the findings and recommendations to be
26 supported by the record and by the magistrate judge's analysis.

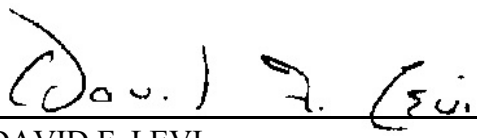
Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed April 14, 2005, are adopted in full;

and

2. This action is dismissed without prejudice for failure to exhaust administrative remedies before bringing the action.

DATED: 6/10/2005



DAVID F. LEVI
United States District Judge